

EXHIBIT 6

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

--oOo--

SKYLINE SOFTWARE SYSTEMS, INC.,

Plaintiff,

vs.

No. 04-11129 DPW

KEYHOLE, INC., and GOOGLE, INC.,

Defendants.

CONFIDENTIAL

**CERTIFIED
COPY**

VIDEOTAPED DEPOSITION OF STEPHEN LAU, JR.

Volume I (Pages 1-150)

Wednesday, June 21, 2006

HIGHLY CONFIDENTIAL -- OUTSIDE COUNSEL ONLY

REPORTED BY:

SUSAN F. MAGEE, RPR, CLR, CSR No. 11661

U.S. LEGAL

S u p p o r t

Certified Shorthand Reporters

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1 BE IT REMEMBERED that on Wednesday,
2 June 21, 2006, commencing at the hour of 2:06 p.m.
3 thereof, Pursuant to Subpoena in a Civil Case of
4 STEPHEN LAU, JR., before me, SUSAN F. MAGEE, RPR,
5 CLR, a Certified Shorthand Reporter in and for the
6 State of California, there personally appeared

7

8 STEPHEN LAU, JR.,

9

10 called as a witness by the Defendants, who, being by
11 me first duly sworn, was thereupon examined and
12 testified further as hereinafter set forth.

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1 I'm done -- 02:21:42

2 THE WITNESS: Okay.

3 MR. HAMELINE: -- and then answer the 02:21:42

4 question, and that's just preserving this for the 02:21:43

5 record -- 02:21:45

6 THE WITNESS: Okay. 02:21:45

7 MR. HAMELINE: -- okay? 02:21:46

8 BY MR. WOO: Q. He's just preserving this 02:21:46

9 for the record so -- 02:21:47

10 A. Okay. 02:21:48

11 Q. -- you can just, you know, answer the 02:21:48

12 question after he's done. 02:21:49

13 MR. HAMELINE: But just one point in 02:21:51

14 connection with what we were saying before, for the 02:21:53

15 court reporter's ease, just wait until I'm done 02:21:55

16 talking until you begin. 02:21:57

17 THE WITNESS: Okay. 02:21:58

18 MR. HAMELINE: Okay, thanks. 02:21:59

19 MR. WOO: Thanks. 02:22:01

20 THE WITNESS: I'm a newbie in terms of 02:22:01

21 depositions. 02:22:03

22 MR. HAMELINE: Well -- 02:22:04

23 BY MR. WOO: Q. That's fine. So where was 02:22:04

24 I? Let's see. Let me ask a different question. 02:22:07

25 Well, let me ask the same question. As of the time 02:22:34

1 you left SRI in 1996, did you consider the work of 02:22:37

2 on the development of TerraVision complete? 02:22:40

3 MR. HAMELINE: Objection. 02:22:42

4 THE WITNESS: Yes. The project, the first 02:22:42

5 phase of the MAGIC 1 project was completed by the 02:22:45

6 time I left SRI, and we were looking for funding for 02:22:49

7 MAGIC 2, the continuation of this project. And that 02:22:53

8 funding had not been secured by the time that I left 02:22:58

9 SRI, so yes. 02:23:01

10 By the end of the project because the MAGIC 02:23:03

11 project ended, TerraVision was complete and 02:23:06

12 fulfilled the requirements of the original MAGIC 02:23:08

13 project. 02:23:11

14 BY MR. WOO: Q. Tell us a little bit more 02:23:11

15 about what the MAGIC project was. 02:23:12

16 A. The MAGIC project was a DARPA-funded 02:23:15

17 program to create a high-speed network test bed. At 02:23:18

18 the time there were several other high-speed network 02:23:26

19 test beds being created via other agencies, and this 02:23:29

20 was DARPA's own high-speed network test bed. It was 02:23:32

21 to create an Internet spanning multiple cities and 02:23:37

22 multiple locations to test new technologies that 02:23:42

23 eventually would become part of the Internet to do 02:23:46

24 groundbreaking research in that area. And one of 02:23:50

25 the areas of this groundbreaking research that they 02:23:53

1 to work on a wide variety of different 02:53:06
2 application -- network speeds, okay. They were on 02:53:10
3 some networks where you would be able to fly faster 02:53:14
4 than the network could keep up, so in those cases 02:53:18
5 the person would see continuously a low resolution 02:53:20
6 of the terrain until they stopped -- you know, they 02:53:25
7 fly to a location where they're interested in, and 02:53:27
8 then they sit there and spin around, and then it 02:53:30
9 would come higher and higher resolution. 02:53:34

10 MR. HAMELINE: Move to strike. 02:53:36

11 BY MR. WOO: Q. From where would the 02:53:37
12 high-resolution files come as between local client 02:53:38
13 remote server? 02:53:42

14 A. The local imagery -- the high-resolution 02:53:43
15 imagery would initially come from the image service 02:53:45
16 ISS remotely. And then once they were -- if they 02:53:48
17 were still in memory, it would -- local memory, it 02:53:52
18 would try to use them from local memory. It would 02:53:55
19 use them from local memory. 02:54:01

20 Q. Earlier you mentioned one of the problems 02:54:01
21 that you were trying to solve was the idea of 02:54:51
22 retrieving this earth imagery locally from some -- 02:54:59
23 from anywhere at a remote location. 02:55:05

24 A. Yeah. 02:55:08

25 Q. In a military operation, for example. 02:55:08

1 Was that a problem that anyone else was 02:55:13
2 trying to solve as well? 02:55:15
3 MR. HAMELINE: Objection. 02:55:16
4 THE WITNESS: Yes. It was actually quite 02:55:17
5 funny because in 1995 -- actually, probably it was 02:55:20
6 earlier than that, a little bit earlier, early 1995 02:55:26
7 we -- I ran across this other group in Germany, and 02:55:30
8 I -- to the life of me I don't remember exactly 02:55:34
9 where in Germany, but they had chosen the exact same 02:55:37
10 name that we had. Neither of us had knew of each 02:55:41
11 other's existence at all, and they had called their 02:55:44
12 application TerraVision also. And we compared 02:55:48
13 notes, and they were trying to solve the exact same 02:55:50
14 problem that we were. 02:55:53
15 BY MR. WOO: Q. What problem was that they 02:55:56
16 were trying to solve? 02:55:59
17 MR. HAMELINE: Objection. 02:56:00
18 THE WITNESS: Trying to do real-time fly 02:56:01
19 throughs or being able to navigate through large 02:56:05
20 image databases of terrain in real time or near real 02:56:09
21 time where the images were coming not necessarily 02:56:12
22 locally available. 02:56:16
23 BY MR. WOO: Q. When did this happen? 02:56:16
24 A. The demonstrations that we both ran across 02:56:17
25 each other was also in SIGGRAPH 1995 in Los Angeles, 02:56:20

1 California; and it was absolutely hilarious because 02:56:24
2 we actually had booths literally across the aisle 02:56:26
3 from each other at that location, but we actually 02:56:31
4 had found out about each other several months prior 02:56:33
5 to that. 02:56:36

6 Q. And how did you find out? 02:56:38

7 A. You know, I really don't remember. I think 02:56:39
8 I was surfing the Web at that point, what existed as 02:56:41
9 the Web at that time because we were looking for 02:56:48
10 other applications with the name TerraVision because 02:56:51
11 there was a place right down over here in 02:56:53
12 San Francisco that had a company name called 02:56:55
13 TerraVision or something like that, and they were a 02:56:57
14 little garden shop, a flower shop, and . . . 02:56:59

15 Q. That's not quite the same thing. 02:57:01

16 A. Not quite the same thing. So I thought, 02:57:04
17 oh, it was kind of neat. So if I remember right, 02:57:05
18 it's like I was doing a search and found out about 02:57:09
19 this other thing called TerraVision. And I sent -- 02:57:10
20 dropped them an e-mail message, and then I was like, 02:57:12
21 wow, you guys -- we're doing almost exactly the same 02:57:15
22 thing. 02:57:17

23 Q. Did you compare notes with the -- 02:57:17

24 A. Yeah. 02:57:19

25 Q. -- Germans about what they were doing? 02:57:19

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1	A. Yeah.	02:57:20
2	Q. And what did you find out about what they	02:57:22
3	were doing compared to what you were doing?	02:57:24
4	MR. HAMELINE: Objection.	02:57:25
5	MR. WOO: Let me rephrase the question.	02:57:26
6	BY MR. WOO: Q. What, if anything, did you	02:57:26
7	find out about what they were doing compared to what	02:57:28
8	you were doing?	02:57:31
9	MR. HAMELINE: Objection.	02:57:31
10	THE WITNESS: Sorry.	02:57:32
11	They had also built up a hierarchical	02:57:33
12	structure for their data set too in terms of	02:57:36
13	differing resolutions. They were looking into doing	02:57:41
14	various types of overlays that we were not doing in	02:57:44
15	terms of clouds and stuff like that which we had not	02:57:47
16	focused on at all. They had also done a concept of	02:57:50
17	what's called texture paging. In other words, you	02:57:52
18	couldn't load all the images into memory at one time	02:57:55
19	because it was just too much. So what they would do	02:57:58
20	is they would try to bring into memory the images	02:58:00
21	that were required to render the image in real time	02:58:04
22	for that area that you were looking at. And --	02:58:09
23	BY MR. WOO: Q. Did their system also	02:58:13
24	fetch data from low res to high res?	02:58:16
25	A. Yes. They did, yes.	02:58:18

1 arbitrarily. 04:04:33

2 Q. Did that demonstration system also use the 04:04:41

3 coarse-to-fine strategy? 04:04:43

4 A. Yes. 04:04:45

5 Q. Okay. In that same paragraph there's 04:04:45

6 reference to the Supercomputing '95 conference in 04:04:57

7 San Diego? 04:05:00

8 A. Yes. 04:05:01

9 Q. What was that? 04:05:01

10 A. Supercomputing is a conference for 04:05:02

11 high-performance computing and networking. It's 04:05:05

12 held annually, and that year it was held in -- I 04:05:07

13 believe, in November, fall of 1995 in San Diego at 04:05:10

14 the San Diego Convention Center. It's a publicly 04:05:13

15 open conference, so anyone can attend. 04:05:18

16 Q. Do you have any estimate of how many people 04:05:20

17 might have attended that conference? 04:05:22

18 A. It was typically -- I think at that time it 04:05:23

19 was below 10,000, but I'm not exactly sure what the 04:05:26

20 numbers were. 04:05:29

21 Q. How did the system -- strike that. 04:05:36

22 How did the TerraVision system demonstrated 04:05:39

23 at the Supercomputing '95 conference in San Diego 04:05:44

24 compare to the one that was demonstrated at SIGGRAPH 04:05:47

25 '95 in Los Angeles? 04:05:52

1 State of California) ss.

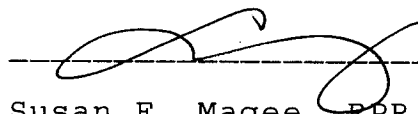
2 COUNTY OF ALAMEDA)
3

4 I, SUSAN F. MAGEE, RPR, CLR, a Certified
5 Shorthand Reporter in and for the State of California
6 and disinterested person, do hereby certify:

7 That prior to being examined, the deponent
8 named in the foregoing deposition was by me duly sworn
9 to testify the truth, the whole truth, and nothing but
10 the truth;

11 That the said deposition was taken before me at
12 the time and place therein stated and was thereafter
13 transcribed into typewriting under my direction; that
14 the foregoing deposition is a true record of the
15 witness's testimony as reported by me; that the deponent
16 was given an opportunity to read, correct and sign the
17 deposition transcript.

18 I further certify that I am not related to any
19 party or counsel or attorney for any of the parties in
20 the foregoing deposition or in any way interested in the
21 outcome of the action herein.
22
23

24 
25 Susan F. Magee, RPR, CLR
CSR No. 11661

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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VIDEOTAPED DEPOSITION OF STEPHEN LAU, JR.

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Volume II (Pages 151-334)

Thursday, June 22, 2006

REPORTED BY:

SUSAN F. MAGEE, RPR, CLR, CSR No. 11661

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1 STEPHEN LAU, JR.,
2 having been previously duly sworn, testified as
3 follows:

5 EXAMINATION BY MR. WOO

7 Q. Mr. Lau, you understand you're still under 02:07:06
8 oath? 02:07:08

10 THE VIDEOGRAPHER: Thank you. 02:07:10

12 this afternoon, I had the court reporter mark as 02:07:16

14 Nos. GOOG 26931 through 27373. I have that in front 02:07:25

15 of you. 02:07:34

17 bound volume of the same document, the 1994 MAGIC 02:07:39

19 was duplicated. 02:07:50

21 201 as a duplicate of the bound volume? 02:07:55

23 through it all and verify but yeah. 02:08:01

25 A. It appears to be the same. 02:08:05

1 there for demonstrations and also for images that 02:58:07
2 could not be made into the regular proceedings. 02:58:10

3 Q. Was Exhibit 205 something that you obtained 02:58:13
4 at the SIGGRAPH '95 conference? 02:58:16

5 A. Yes. 02:58:19

6 Q. And was that maintained in your files as 02:58:19
7 part of the ordinary course of business at SRI? 02:58:23

8 A. Yes. 02:58:25

9 MR. HAMELINE: Objection. 02:58:26

10 THE WITNESS: Sorry. 02:58:26

11 Yes. 02:58:27

12 BY MR. WOO: Q. Okay. If you could turn 02:58:28
13 to the page marked GOOG 17699, about the middle of 02:58:44
14 the document, I think. 02:58:54

15 A. Yes, okay. 02:59:05

16 Q. The page at the top it says "T_Vision." 02:59:06

17 A. Mm-hmm. 02:59:11

18 Q. At the SIGGRAPH '95 show in Los Angeles, 02:59:16
19 you testified earlier about seeing a similar system 02:59:19
20 exhibited by a German company? 02:59:23

21 A. Yes, by ART+COM. 02:59:25

22 Q. Is the system that's described on this page 02:59:27
23 of Exhibit 205 that company? 02:59:33

24 A. Yes. Well, it's not a description of the 02:59:38
25 company. 02:59:41

1 Q. Let me -- 02:59:41

2 A. It's a description --

3 Q. Yeah. Let me rephrase that. 02:59:42

4 Is the system that's described on the 02:59:44

5 page -- strike that. 02:59:47

6 Is the -- let me read this first. 02:59:48

7 Is the system that's described on this page 03:00:06

8 of Exhibit 205 the system that you referred to 03:00:08

9 earlier in your testimony about seeing across the 03:00:10

10 hall from you or the aisle from you at SIGGRAPH '95? 03:00:15

11 A. Yes, what -- it is. 03:00:18

12 Q. What do you recall of what this company -- 03:00:20

13 I believe it's called ART+COM? 03:00:26

14 A. ART+COM. 03:00:27

15 Q. What do you recall of what ART+COM 03:00:28

16 exhibited at SIGGRAPH '95 in Los Angeles? 03:00:31

17 A. They exhibited an application that was 03:00:33

18 scaring similar to TerraVision itself. In fact, 03:00:38

19 they actually originally named it TerraVision and 03:00:42

20 had to change it at the last minute to T_Vision.

21 Q. Slow down a little bit.

22 A. Sorry. In fact, they actually had to 03:00:49

23 change the name from TerraVision to T_Vision. They 03:00:50

24 demonstrated an application that was projected onto 03:00:50

25 a very large screen with a big, giant track ball 03:00:53

1 about this big that you could roll around in, and 03:00:57
2 you could zoom from space literally all the way down 03:01:00
3 to a city. 03:01:04

4 You could scroll -- roll this track ball 03:01:05
5 along, and you could zoom all the way in, and you'd 03:01:08
6 fly around the terrain and manipulate around. And 03:01:11
7 the actual imageries was actually -- was coming from 03:01:14
8 across a network. 03:01:17

9 And very similar to TerraVision, as you 03:01:18
10 got -- it would start off with a low resolution, and 03:01:20
11 as you got closer to the terrain, it would go higher 03:01:23
12 and higher resolution, and it would also retrieve 03:01:27
13 imagery from across a network. 03:01:30

14 Q. Did you actually see the ART+COM 03:01:32
15 demonstration -- or system in operation at the time? 03:01:34

16 A. Yeah. Many times. 03:01:36

17 Q. They were right across the hall? 03:01:38

18 A. We were right across the hall, yes. 03:01:40

19 Q. Did the earth images in the ART+COM 03:01:45
20 demonstration go from fuzzy to high resolution like 03:01:52
21 TerraVision? 03:01:57

22 MR. HAMELINE: Objection. 03:01:57

23 THE WITNESS: Yes. 03:01:58

24 BY MR. WOO: Q. Did the ART+COM system 03:01:58
25 enable the user to fly over earth terrain? 03:02:01

1 A. Yes. 03:02:03

2 Q. What discussions did you have, if any, with 03:02:04

3 ART+COM regarding the name change from TerraVision 03:02:13

4 to T_Vision? 03:02:16

5 MR. HAMELINE: Objection. 03:02:18

6 THE WITNESS: Sorry. 03:02:19

7 When we originally contacted them, we kind 03:02:22

8 of compared notes as to when -- who had the name 03:02:26

9 first, and it was decided that SRI actually came up 03:02:28

10 with the name first, that we predated them by well 03:02:30

11 over a year, possibly two years. So they agreed to 03:02:33

12 change the name to T_Vision. 03:02:37

13 BY MR. WOO: Q. Oh, boy. Let's see. Now, 03:03:14

14 if we could go back to Exhibit 6, the 189 Skyline 03:03:16

15 patent. If you could now turn to column 18 of that 03:03:20

16 patent, Claim No. 12. 03:03:26

17 A. Yes. 03:03:32

18 Q. See that going all the way down to where it 03:03:32

19 says 13? 03:03:34

20 A. Yes. 03:03:35

21 Q. Did TerraVision practice the steps -- 03:03:36

22 strike that. 03:03:46

23 As to Claim 12, did TerraVision have all 03:03:46

24 the items that are listed in Claim 12? 03:03:53

25 MR. HAMELINE: Objection. 03:03:56

1 State of California) ss.
2 COUNTY OF ALAMEDA)
3

4 I, SUSAN F. MAGEE, RPR, CLR, a Certified
5 Shorthand Reporter in and for the State of California
6 and disinterested person, do hereby certify:

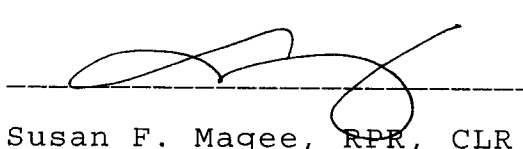
7 That prior to being examined, the deponent
8 named in the foregoing deposition was by me duly sworn
9 to testify the truth, the whole truth, and nothing but
10 the truth;

11 That the said deposition was taken before me at
12 the time and place therein stated and was thereafter
13 transcribed into typewriting under my direction; that
14 the foregoing deposition is a true record of the
15 witness's testimony as reported by me; that the deponent
16 was given an opportunity to read, correct and sign the
17 deposition transcript.

18 I further certify that I am not related to any
19 party or counsel or attorney for any of the parties in
20 the foregoing deposition or in any way interested in the
21 outcome of the action herein.
22
23

24

25


Susan F. Magee, RPR, CLR
CSR No. 11661